

### **Claim Rejections - 35 U.S.C. §112**

Claims 1-3, 5, and 6 have been rejected under §112, second paragraph, as indefinite. Claim 1 has been rejected as lacking sufficient antecedent basis for the terms “the inside contours” at line 7, “the outer contours” at line 8, and “the plate-shaped work piece” at line 17. Each of these limitations has been amended herein to incorporate proper antecedent basis and therefore this rejection is overcome. Reconsideration is hereby respectfully solicited.

Claim 3 has been rejected under §112, second paragraph, as lacking sufficient antecedent basis for the limitations “the outer surface” at line 7 and “the rim hole means” at lines 3 and 4. These limitations have been amended herein to incorporate proper antecedent basis and therefore this rejection is overcome. Reconsideration is hereby respectfully solicited.

No new matter has been entered by the amendments noted above. The above amendments also do not narrow the scope of claim 1 or claim 3.

### **Claim Rejections - 35 U.S.C. §102**

Claims 1-3, 5, and 6 have been rejected under §102(b) as anticipated by Ashby. Ashby discloses forming an opening through a stack of work pieces *without any material being broken out of a rear work piece*. The opening in Ashby is formed through the work pieces before material is curled back by an eyelet stamp. Thus, in the process of Ashby, since no additional material is broken out of the rear work piece, material from each work piece, *including the rear work piece*, is curled back by the eyelet stamp when the eyelet is formed.

In contrast, independent claim 1 recites, during the step of forming, a further step of “*breaking out, when the rim hole punch is driven through the stack (1, 2), a piece of material (10) of the rear plate-shaped work piece (2).*” This limitation of claim 1 is described in the specification and is illustrated in FIGS. 4 and 10 in the instant application. As the punch is driven through the work pieces, a portion 10 of the rear work piece 2 is broken out. Then material of the upper work piece is curled back over the rear work piece to form the rim hole. This limitation is not taught or suggested by Ashby.

Ashby fails to disclose at least this limitation of independent claim 1. Therefore, independent claim 1 and dependent claims 2, 3, 5, and 6 are not anticipated by Ashby.

Ashby also fails to render obvious all of the limitations of independent claim 1. Ashby discloses and describes a method for producing a rim hole that has a transverse section formed by material of both plate-shaped work pieces being curled back. This is clearly illustrated in, for example, FIGS. 6-8 and FIGS. 11-13, as well as in FIG. 1A within the Ashby disclosure.

✓ In contrast, the eyelet opening produced by the process recited in claim 1 of the instant application does not curl back any material of the rear work piece. This is because a piece of material 10 is broken out from the rear work piece when the holes are initially punched. This is illustrated in FIGS. 6 and 12 of the instant application. Ashby teaches only that *parts of all work pieces are curled back* and does not teach breaking out a piece of material from a rear work piece during formation of the hole or opening. Thus, Ashby fails to teach or suggest at least this limitation of claim 1.

The teachings of Ashby fail to disclose or suggest all of the limitations of independent claim 1. Ashby therefore also fails to render obvious independent claim 1 and dependent claims 2, 3, 5, and 6.

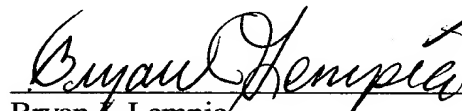
### CONCLUSION

Pending claims 1-3, 5, and 6 are believed to be in condition for allowance in view of the foregoing amendments and remarks. Reconsideration and withdrawal of the claim rejections and allowance of the pending claims is hereby respectfully solicited.

The examiner is invited to contact the undersigned at the below-listed telephone number in order to discuss any remaining issues or matters of form that will place this case in condition for allowance.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6357  
Telephone No.: (312) 474-6300  
Fax No.: (312) 474-0448



Bryan J. Lempia  
Reg. No. 39,746  
Attorney for Applicant

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**VERSION WITH MARKINGS SHOWING CHANGES MADE**

Please amend claims 1 and 3 as follows:

1. (Thrice Amended) Method for producing a rim hole through a stack of at least two plate-shaped work pieces using a rim hole punch, driven vertically through the stack, wherein material of one of the plate-shaped work pieces, which faces the rim hole punch, is pushed through an opening of [the other] another rear plate-shaped work piece, wherein [the] inside contours of the opening correspond to [the] outer contours of the rim hole, comprising the steps of:

creating a penetration opening (3, 3') through the stack (1, 2), said penetration opening having a cross-section surface corresponding at most to the cross-sectional surface of the opening of the rim hole; and

forming, in a single feed movement of the rim hole punch (7), both the rim hole (9) and the opening (21) in the other, rear plate-shaped work piece (2) seen from the direction of feed, by having the rear plate-shaped work piece (2) pointing away from the rim hole punch supported by a matrix (8), and breaking out, when the rim hole punch is driven through the stack (1, 2), a piece of material (10) of the rear plate-shaped work piece (2) the outer contours of which piece of material correspond to the outer contours of the rim hole.

3. (Twice Amended) Method for producing a rim hole according to Claim 2, and the step of flanging the rim hole (7) by means of a flange punch (12) fed from a side of the work pieces opposite the rim hole punch, whereby, after flanging, [the] an outer surface (14) of the rim hole rests, at least in some sections, on [the] an outer surface (15) of the rear plate-shaped work piece.